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LETTER DATED 18 DECEMBER 1998 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to information originally brought to my attention by the Permanent Representative of the Kingdom of the Netherlands to the United Nations concerning British Broadcasting Corporation news reports televised earlier this year in which two armoured personnel carriers (APCs), allegedly belonging to the armed forces of the Federal Republic of Yugoslavia, were shown destroying civilian houses in Kosovo during the first week of March 1998. I was also informed that the two APCs shown might have been stolen in July 1995 from the Dutch battalion serving with the United Nations Protection Force.

On the basis of the information provided, the Secretariat has taken the action outlined in the annex to the present letter. Taking into account the fact that it has proved impossible to resolve this issue in a satisfactory manner, and in accordance with the wish expressed by the authorities of the Netherlands, I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

Annex

Alleged use of stolen Dutch armoured personnel carriers in Kosovo

On 6 March 1998, the nine o'clock news programme of the British Broadcasting Corporation (BBC) televised video footage in which two armoured personnel carriers (APCs), allegedly being used by the forces of the Federal Republic of Yugoslavia, were shown destroying civilian houses in Kosovo. The footage was also broadcast on other international television programmes, including the BBC television programme "Special Correspondent" on 31 May 1998. A copy of the video recording is available for viewing in the Secretariat.

Following the airing of the video footage by the BBC, Dutch military experts identified the APCs as being part of the YPR-765-type vehicles belonging to the Dutch battalion serving with the United Nations Protection Force (UNPROFOR) in Bosnia and Herzegovina, which were stolen by the Bosnian Serb Army in Srebrenica in July 1995. This information was conveyed to the United Nations Secretariat, in early June 1998, by the Permanent Representative of the Netherlands to the United Nations.

In view of the seriousness of the charge, the United Nations Secretariat immediately requested the United Nations Liaison Office in Belgrade to seek clarification from the Yugoslav authorities on the alleged use of the stolen Dutch APCs in Kosovo. The United Nations Secretariat also followed up the matter with the Chargé d'affaires a.i. of the Federal Republic of Yugoslavia to the United Nations. The Government of the Netherlands, on its part, also pursued the issue bilaterally with the Yugoslav authorities.

Following intervention by the United Nations, the Secretary of the Yugoslav Federal Committee for Cooperation with United Nations Peace Missions and the Multinational Force, Mr. Mile Pešut, in a letter dated 26 June 1998 addressed to the Head of the United Nations Liaison Office in Belgrade, denied that the Federal Republic of Yugoslavia had the stolen Dutch APCs in its possession. The letter read in part as follows:

> "The armoured personnel carrier make YPR-765 does not belong to the armaments and equipment of the Army of Yugoslavia and any linkage between it and our Army is tendentious and malicious. Likewise, this vehicle does not exist in the Police Force of the Republic of Serbia either, so that it cannot be spotted in the anti-terrorist campaign mounted by that Police in Kosovo and Metohija."

In the light of this reply, the United Nations Secretariat, on 16 July 1998, requested the Permanent Mission of the Netherlands to the United Nations to provide additional information on the exact time and place that the APCs had allegedly been seen, as well as on the source of this information, so that the United Nations could follow up further on the issue with the Yugoslav authorities.

In a letter dated 7 August 1998, the Chargé d'affaires a.i. of the Permanent Mission of the Netherlands to the United Nations provided the United Nations with a copy of the original videotape and uncut recordings made by the BBC television crew in the first week of March 1998. The Chargé d'affaires, in his letter, stated that the camera footing constituted clear proof that the armoured personnel carriers had been used in the wilful destruction of civilian housing in Kosovo. He noted further that the resemblance between the missing Dutch APCs from Srebrenica and the APCs used in Kosovo was striking, and that the Dutch military experts had no doubt that the APCs filmed in Kosovo were of the YPR-765 type. He further stated as follows:

> "Since no other country has deployed APCs of the type YPR-765 in the former area of operations of UNPROFOR, the FRY [Federal Republic of Yugoslavia] has never bought any YPR-765 and has denied to own these APCs, this leads to the inevitable conclusion that the television recordings prove that the FRY used Dutch YPRs-765 in Kosovo."

The Permanent Mission of the Netherlands to the United Nations also provided the Secretariat with a copy of a declaration of authenticity, dated 4 September 1998, in which the executive editor of the BBC news bulletins solemnly declared that the journalists responsible for the footage of the two armoured personnel carriers had confirmed that the pictures had been filmed near the village of Prekazi in Kosovo, in the Federal Republic of Yugoslavia, in the early evening of 5 March 1998.

Upon receipt of the additional information presented by the Dutch authorities and the copy of the video evidence from the BBC, the Secretariat again requested clarification of the issue, particularly the video footage, from the Yugoslav authorities. The Secretariat also requested that the Yugoslav authorities permit an independent team of international experts, led by the United Nations, to visit the Federal Republic of Yugoslavia to assist in a further investigation aimed at resolving the matter.

On 9 October 1998, the Chargé d'affaires a.i. of the Federal Republic of Yugoslavia to the United Nations informed the Secretariat that, following the warning by the Netherlands that there were indications that two Dutch UNPROFOR APCs had been spotted in Kosovo and Metohija, the competent Yugoslav authorities had carried out an investigation and established that the said vehicles were not in the territory of the Federal Republic of Yugoslavia. The findings of the investigation had been conveyed to the United Nations and the Dutch authorities in the 26 June 1998 letter from the Secretary of the Yugoslav Federal Committee for Cooperation with United Nations Peace Missions and the Multinational Force. Accordingly, the Yugoslav side considered the matter closed and all future inquiries in the Federal Republic of Yugoslavia unwarranted.